

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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**CESAR AMEZQUI GOMEZ,**

**Plaintiff,**

**v.**

**Case No. 05C0796**

**CITY WIDE INSULATION OF MADISON, INC.,  
d/b/a BUILDER'S INSULATION,**

**Defendant.**

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**ORDER**

On December 12, 2005, I notified plaintiff Cesar Amezqui Gomez<sup>1</sup> that his claims against defendants would be dismissed pursuant to Civil L.R. 41.3 (E.D. Wis. 2001) unless he notified the court by January 12, 2006 of his intent to prosecute this action. Civil L.R. 41.3 provides that "[w]henver it appears to the Court that the plaintiff is not diligently prosecuting the action, the Court may enter an order of dismissal with or without prejudice. Any affected party can petition for reinstatement of the action within twenty (20) days." To date, plaintiff has not notified the court of his intent to prosecute this action. Accordingly, pursuant to Civil L.R. 41.3, I will dismiss this case with prejudice.

**THEREFORE, IT IS ORDERED** that pursuant to Civil L.R. 41.3 this case is **DISMISSED WITH PREJUDICE.**

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<sup>1</sup>This action was commenced by plaintiffs Jose Luis Hernandez, Nau Hernandez and Francisco Valladolid as well as plaintiff Gomez. On December 21, 2005, I dismissed the claims of plaintiffs Jose Luis Hernandez, Nau Hernandez and Francisco Valladolid pursuant to their request. I have amended the caption accordingly.

Dated at Milwaukee, Wisconsin, this 22 day of January, 2006.

/s \_\_\_\_\_  
LYNN ADELMAN  
District Judge